

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary Gray

Appln. No. 10/608,845

Filed: June 27, 2003

For: EXERCISE DEVICE



Art Unit: 3764

Examiner: Stephen Crow

Docket No.: 3/1124US(1)

Assistant Commissioner for Patents
Arlington, VA

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(c)

Pursuant to 37 CFR §3.73(b), True Fitness Technology, a Missouri Corporation, certifies that it is the only assignee of the entire right, title, and interest in United States Patent 6,077,202 as indicated by assignments duly recorded in the United States Patent and Trademark Office at Reel 0012211 and Frame 0390.

True Fitness Technology, further certifies that it is the only assignee of the entire right, title and interest in the above-identified United States patent application, which is a Continuation of United States Patent 09/577,914 (assigned to the same assignee pursuant to the same document) which is in turn a Divisional of US application 09/174,306 now the above referenced United States Patent 6,077,202. Therefore, the above referenced assignment recorded against the original application is applied to the above referenced application (MPEP §306).

The undersigned has reviewed the above documents and to the best of undersigned's knowledge and belief, title is in the assignee identified above for both identified applications.

The undersigned is an attorney of record in this case.

Pursuant to 37 CFR §1.321(b), and to obviate any double patenting rejection, the assignee

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identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of United States Patent 6,077,202. Further, any patent granted on the above identified application shall be enforceable only for and during such period that said patent is commonly owned with United States Patent 6,077,202.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of United States Patent 6,077,202 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR. 51.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

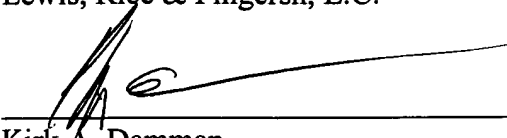
This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,
Lewis, Rice & Fingersh, L.C.

Dated: May 19, 2005



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